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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/085,424	02/28/2002	Paul Daniel Jaramillo	1846 (42059-01370)	4857
7590	06/29/2006		EXAMINER	
Marsh Fischmann & Breyfogle LLP Suite 411 3151 S. Vaughn Way Aurora, CO 80014				MURPHY, RHONDA L
		ART UNIT		PAPER NUMBER
		2616		

DATE MAILED: 06/29/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/085,424	JARAMILLO ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Rhonda Murphy	2616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on \_\_\_\_\_.  
 2a) This action is **FINAL**.                    2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-61 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_ is/are allowed.  
 6) Claim(s) 1,2,7,8,31,32,37 and 38 is/are rejected.  
 7) Claim(s) 3-6,9-30,33-36 and 39-61 is/are objected to.  
 8) Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on 28 February 2002 is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) Notice of References Cited (PTO-892)  
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  
 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
 Paper No(s)/Mail Date 6/14/02.

4) Interview Summary (PTO-413)  
 Paper No(s)/Mail Date. \_\_\_\_\_.  
 5) Notice of Informal Patent Application (PTO-152)  
 6) Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Drawings***

1. The drawings are objected to because Figure 5 is missing the label "Fig. 5". Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Specification***

2. The abstract of the disclosure is objected to because of a minor informality. In line 1, "for" between "method" and "provided" shall be deleted. Correction is required. See MPEP § 608.01(b).

***Claim Objections***

3. Claims 12, 17, 25, 42 and 48 are objected to because of the following informalities:

In claims 12 and 42, line 5 “at least on other” is unclear and shall be rephrased.

In claim 17, line 1, a term is missing after the word “part”.

In claim 25, line 8, “leas” shall be replaced with “least”.

In claim 48, “claim 16” shall be dependent upon claim “46”.

Appropriate correction is required.

***Claim Rejections - 35 USC § 112***

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 12 and 42 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Both claims 12 and 42 recite “system entities may include”, which renders the claim indefinite and does not require the elements to be a part of the system.

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

8. Claims 1-2, 7-8, 31-32 and 37-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Emery et al. (US 5,610,972) in view of Lawson et al. (US 5,721,825). **Regarding claims 1 and 31**, Emery teaches a system for providing integrated control of at least one transport resource provided by at least one communication network service provider (col. 8, lines 3-15) comprising: at least one Association Controller-AC (Fig. 2, ISCP 50) connectable to a plurality of communications networks (networks 22, 24, 26, 28 and 34) so as to communicate with system entities (SMS 41, SCP 43, DRS 45, STP 31, STP, SSP, mobile), wherein the at least one AC is configured to

dynamically receive a registration list (HLR), through an interactive exchange of one or more commands (col. 27, lines 17-20) with an integrated services controller-ISC (ISCP 40) associated with the at least one AC (see Fig. 2), registering one or more events from the one or more communication services which have a notification interest in said list (col. 21, lines 41-50).

Although Emery discloses a registration list, Emery fails to explicitly disclose the registration list as an event registration list (ERL).

However, Lawson teaches an event registration list (col. 8, lines 31-35).

In view of this, it would have been obvious to one skilled in the art to modify Emery's registration list by including Lawson's event registration list, in order to provide a list of events to be performed by the network element.

**Regarding claims 2 and 32,** the combined system of Emery and Lawson teach an event registration list, which includes at least one event. Emery further teaches at least one AC further configured to dynamically receive a registration through an interactive exchange with each of the system entities (ex. SSP) which have a notification interest in said at least one event (col. 27, lines 24-30).

**Regarding claims 7 and 37,** the combined system of Emery and Lawson teach an event registration list, which includes at least one event. Emery further teaches at least one AC further operative to provide auto-discovery of the at least one of the available discrete event notifications that can be delivered to the at least one ISIC on behalf of at least one service logic entity (col. 27, lines 4-9).

**Regarding claims 8 and 38,** the combined system of Emery and Lawson teach an event registration list, which includes at least one event. Emery further teaches at least one AC further operative to dynamically augment or modify a registration list through negotiation of the registration of the at least one available discrete event with the at least one ISC on behalf of at least one service logic entity (col. 28, lines 21-28).

***Allowable Subject Matter***

9. Claims 3-6, 9-30, 33-36 and 39-61 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Conclusion***

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: US Patent 5,721,825 to Lawson et al., US Patent 7,039,164 to Howe, and US Patent 5,592,533 to McHenry et al.

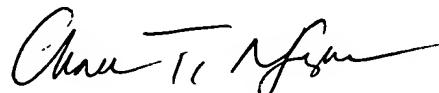
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rhonda Murphy whose telephone number is (571) 272-3185. The examiner can normally be reached on Monday - Friday 8:00 - 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chau Nguyen can be reached on (571) 272-3126. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Rhonda Murphy  
Examiner  
Art Unit 2616

RM



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